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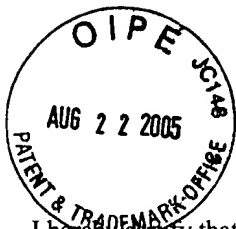
TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/681530	
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	First Named Inventor	WHEELER	
	Art Unit	2132	
	Examiner Name	PERUNGA VOOR, VENKATANARAYANAN	
Total Number of Pages in This Submission	70	Attorney Docket Number	800528

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09/681,530

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Wheeler, et al.	Art Unit: 2132
Application No.: 09/681,530	Examiner: Venkatanarayanan Perungavoor
Filed: 4/24/2001	Attorney Docket No.: 800528
Title: System And Method For Determining User Identity Fraud Using Similarity Searching	

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RESPONSE UNDER 37 CFR 1.113**Introductory Comments**

In an Office Action having a mail date of June 21, 2005, the Office has again rejected claims 1-4, 12, 14, 16-19, 25 and 27-29 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,774,650 to Chapman et al. Applicants contend that the Office has not established a *prima facie* case for anticipation, since there are patentably distinguishable claimed features between the invention represented by these claims and reference disclosure of Chapman et al. In the June 21, 2005 Office Action, the Office has also rejected claims 5-11, 20-23, 30 and 31 under 35 U.S.C. § 103(a) as being unpatentable over Chapman et al. (U.S. Patent No. 5,774,650) in view of U.S. Patent No. 6,026,398 to Brown et al. The Office has also rejected claims 13 and 24 under 35 U.S.C. § 103(a) as being unpatentable over Chapman et al. (U.S. Patent No. 5,774,650)

in view of U.S. Patent No. 6,629,092 to Berke. Applicants contend that the Office has not established a *prima facie* case for obviousness, since the prior art references of Chapman and Brown, or Chapman and Berke, when combined, do not teach or suggest all limitations of these claims. Reconsideration and allowance of the application are requested.

Comparisons of Applicants' claim elements with the asserted equivalents in the Chapman and Brown references cited by the Office are shown in Tables 1-8. The disparity between Applicants' claim elements and the passages cited by the Office demonstrate the undue reconstruction and impermissible hindsight relied upon to form a basis for the claim rejections.

No new amendments have been submitted to the description, drawings or claims. A copy of the claims, as amended, is contained in Appendix A for reference purposes.

TABLE OF CONTENTS

<u>Content</u>	<u>Page Number</u>
Introductory Comments	i
Response to Claim Rejections Under 35 U.S.C. §102(b)	1
Independent Claim 1	2
Table 1	8
Dependent Claims 2-4, 12 and 14	9
Table 2A - Table 2B	14
Independent Claim 16	16
Table 3A - Table 3B	22
Dependent Claims 17-19 and 25	24
Table 4A - Table 4B	27
Independent Claim 27	29
Table 5A - Table 5B	36
Response to Claim Rejections Under 35 U.S.C. §103(a)	38
Dependent Claims 5 and 20	38
Dependent Claims 6 and 21	40
Dependent Claim 8	40
Dependent Claims 9 and 23	41
Dependent Claims 10 and 11	41
Table 6A - Table 6C	43
Independent Claim 30	46
Table 7A - Table 7B	50
Dependent Claim 31	52
Table 8	54
Applicants' Answer to Office Comments to Prior Applicants' Arguments	55
Summary	58
Appendix A - Claims	59